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POINT TWO:

PLAINTIFF MEETS THE STATUTORY REQUIREMENTS OF A WHISTLEBLOWER, AS DEFINED BY THE DODDFRANK ACT. THUS, HE IS ELIGIBLE TO RECEIVE THE PROTECTION OF THE ANTI-RETALIATORY PROVISIONS OF THAT STATUTE. DEFENDANTS' CONTENTION THAT THE PLAINTIFF IS NOT A WHISTLEBLOWER, AND THAT THEREFORE, HIS COMPLAINT MUST BE DISMISSED, SHOULD BE REJECTED BY THIS COURT.......

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POINT THREE:

POINT FOUR:

AS AN ACADEMIC POINT. THE FIFTH CIRCUIT'S

POINT FIVE:

DEFENDANTS' ALTERNATIVE REQUEST TO COMPEL ARBITRATION OF THE DODD-FRANK CLAIM SHOULD BE DENIED. SECTION 1514A(e)(2) OF THE DODD-FRANK ACT, WHICH AMENDED SOX, SPECIFICALLY PROHIBITS THE ENFORCEMENT OF PRE-DISPUTE ARBITRATION AGREEMENTS. THE RETALIATORY CONDUCT UNDERTAKEN AGAINST THE PLAINTIFF OCCURRED MORE THAN TWO YEARS AFTER THE PASSAGE OF THE DODD-FRANK ACT. AS THE ACT ARTICULATES THE CURRENT, EXISTING LAW IN THIS AREA, AND PROHIBITS THE ENFORCEMENT OF PRE-DISPUTE ARBITRATION AGREEMENTS, RETROACTIVE EFFECT SHOULD BE GIVEN TO ITS PRE-DISPUTE ARBITRATION AGREEMENT BAN. ACCORDINGLY, THE PRE-DISPUTE ARBITRATION AGREEMENT THAT THE PARTIES SIGNED IN

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